

REMARKS

This Amendment is in response to the Office Action dated April 4, 2008. Claims 52, 59, 61 and 72 have been amended. Claims 52-54, 57-59, 61, 63, 65 and 67-72 are in the case, with claims 52, 61 and 72 being in independent form.

Claims 52-54, 57-59, 61, 63, 65 and 67-72 were rejected under 35 U.S.C. §103(a), as allegedly being unpatentable over U.S. Patent 6,304,857 to Heindel et al. in view of U.S. Patent 5,974,146 to Randle et al. and further in view of U.S. Patent 6,044,360 to Picciallo. Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits independent claims 52 and 61 are patentable over the cited art, for at least the following reasons.

Independent claim 52 relates to a method for conducting financial transactions comprising, *inter alia*, linking a first terminal identifier of a first communication device to a first account number of a first account, storing the linked first terminal identifier and the first account number in the intermediate database and receiving from the first communication device via a communication network, information identifying a second account and an amount requested to be paid from the first account to the second account. The intermediate database is accessed and the first terminal identifier of the first communication device is used to obtain the first account number. The first account number is used to communicate a signal that interrogates the first account and determines whether sufficient funds are available in the first account to effect payment. When it is determined that sufficient funds are available, the first account is debited and the second account is credited.

Applicant thanks Examiner Winter for taking the time to discuss the present application with Applicant's undersigned attorney by telephone on September 22, 2008. During that discussion, the Examiner indicated that if the claims were amended to even more positively recite the claim language, the claim language would carry more patentable weight and would clearly distinguish over the cited art. The claims have been amended as discussed with the Examiner.

Accordingly, it is believed that the claims are now clearly in condition for allowance.

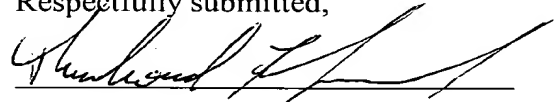
The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard F. Jaworski", written over a horizontal line.

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